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EXAMINER

MOE, AUNG SOE

ART UNIT	PAPER NUMBER
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2612

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DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/324,249

Applicant(s)

Knowles

Examiner

Aung Moe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Oct 9, 2003
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on Oct 9, 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/10/03 have been fully considered but they are not persuasive.

Regarding claim 18, the Applicant argues that "the memory 50 of Criss '178 does not contain a destination address, much less one associated with the server" (see page 9 of the remarks).

In response, the Examiner respectfully disagrees because Criss '178 clearly stated that the mobile terminal 36 includes a memory 50 for storing program code which is executed by the processor 40 in order to perform the data update operation between the mobile terminal 36 and the remote server 30 as shown in Figs. 7(a)-7(i) and Figs. 15(a)-15(b) (i.e., see page 5, paragraph 0054+). Furthermore, Criss '178 clearly stated that the IP address of the mobile terminal 36 and the name of the server with which the mobile terminal 36 is to communicate may be entered in the mobile terminal 36 (i.e., page 7, paragraph 0071) so that the mobile terminal 36 already contain the destination address that is associated with the appropriate server in order to perform the communication for updating the software information at the mobile terminal 36.

In view of the above, it is cleared that the appropriate destination address of the server (31) with which the mobile terminal 36 (i.e., the wireless device as claimed) may be stored in the

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memory 50 of the mobile terminal 36 so that if the wireless device (36) is informed that a download of updated operation software is needed, the wireless device (36) is capable of downloading the appropriate software from the remoter server (31) based on the destination address stored in the memory 50 of the wireless device 36 as required by the present claimed invention.

In page 9 of the remarks, the Applicant argues that “**configuration table data**” is personal configuration data entered by the user, and is specific to the user and the wireless device used by that user, and the Applicant further indicated the figures 4-6 and 7-11 of the present claimed invention.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., either Figs. 4-6 & 7-11 or “**configuration table data**” is personal configuration data entered by the user, and is specific to the user and the wireless device used by that user) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In this case, claim 18 broadly recites the use of “configuration table data” used in the wireless device which is capable of modifying on the remote server, thus, such broadly claimed limitations of “configuration table data” do not limit the claim to only the features as alleged by the Applicant. These limitations are clearly read on the “software program” and “software

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update schedule table” as disclosed by Criss ‘178. For example, Criss ‘178 discloses that the software program and software update schedule table 550 is used on the wireless devices are capable of updating at the remote server (30/31) via the user interface means (i.e., noted that both the wireless device 36 and the remoter server 30/31 contain the user interface means for entering the respective data). In particular, a software update schedule table (550) is configured and stored in the memory 50 of the wireless terminal 36 (i.e., see page 13, paragraph 0124) and such scheduling tables may be updated by the remote server (30/31) and transmitted backs to the wireless device (35/MT) as shown in Figs. 20a-20d (i.e., see page 14, paragraphs’ 0126-0129).

Furthermore, it is noted that the operation software stored in the wireless device (36) and the updated operation software stored in the server (30/31) may be related to the utility program such as for inventory control, patent care, etc. (i.e., see page 5, paragraph 0054). Therefore, it is cleared that the operation software used in the system of Criss ‘178 may contain “configuration table data” such that patent related information table data.

For these reasons as discussed above, the Examiner asserts that claim 18 is anticipated by Criss ‘178.

Regarding claim 16, the Applicant argues that “registering” means establishing a connection with the network, but the registration process discussed by Safai ‘469 refers to establishing an account on a central server as in signing up for a service and providing personal details.

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In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "establishing a connection with the network") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In this case, it is cleared that in order to perform the registration process between the camera (100) and the remote server in the system of Safai '469, the camera system (100) has to establish a connection with the network (606/608) otherwise the information may not be able to either transmit or receive therebetween. In view of this, Safai '469 does in fact teaches "registering with a wireless packet data network" as broadly claimed.

Furthermore, the Applicant argues that "the destination address" of Safai '469 is different from the destination or deliver addresses discussed in the present invention and therefore claim 16 is not anticipated by Safai '469."

In response, the Examiner respectfully disagrees because "the destination address", such that the E-mail address, a postal address as discussed in col. 13, lines 10-15 does in fact read on the "destination address" because the E-mail address includes the destination address to deliver the photo or text to be transmitted to the specific server from the remote location. For example, if the user is only associated with the specific server, such that "Yahoo", "AOL" or "photoaccess" in this case, then such predetermined addresses may be stored in the camera along with the account identifier as discussed in col. 13, lines 55-68. In view of that, when the user of

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the camera is ready to transmit the image and other information by using the E-mail address, then such data will be delivered to the specific remote server system associated with the predetermined destination address (i.e., if the user is transmitting to the "photoaccess" server system, then the information will be transmitted to that remote server system). Therefore, the Examiner asserts that present claimed invention is anticipated by Safai '469.

Regarding claim 17, the Applicant argues that "the key difference here is that in Safai '469, If multiple recipient addresses are selected" and the present claimed invention called for retrieve **one or more preselected recipient address** corresponding to a recipient code in said message by the remote system, and retransmitting at least said image to each preselected recipient address."

In response, the above-mentioned claimed limitations are clearly disclosed by Safai '469. In this case, claim 9 alternatively recited that the remote system retrieves "one or more" preselected recipient address, thus, it is sufficient to show the process of selecting at least one preselected recipient address, such as a specific address included in the transport application received from the camera system (100) by the remote server (601). For example, the remote system (601) normally received the transport application (i.e., said message as claimed) from the camera system which includes preselected recipient address (i.e., the "Internet address") corresponding to a recipient code (i.e., "grandma" or "gwang" as shown in Figs. 4e-4f) in said message (i.e., the transport application), and retransmitting at least said image (i.e., noted that the

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transport application includes "photo"; see col. 13, lines 65+) to each preselected recipient address (i.e., see col. 14, lines 10-25).

In view of the above, claim 17 is anticipated by Safai '469 for the reasons discussed above.

Regarding claims 1-10 and 11-15, Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 2, Claim 2 recites the limitation "said message" in line 4. There is insufficient antecedent basis for this limitation in the claim.

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Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, ***published under section 122(b)***, by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Criss et al. (US 2001/0029178 A1).

Regarding claim 18, Criss '178 discloses in a wireless device that includes an RF communication device (i.e., the device 36 and 32), a memory containing an address associated with a remote server (i.e., noted the server station system 20 of Fig. 1; see page 5, paragraph 0054+ and page 7, paragraph 0071), a processor (Fig. 2, the element 40), and a user interface means (Fig. 2, the element's 42), a method for updating configuration table data on the wireless device with configuration table data modified on the remote server (i.e., Figs. 4, 7a-7i, 20a-20d; page 2, paragraph 0013; page 4, paragraph 0051; page 5, paragraph 0054; and page 14, paragraphs 0126+), comprising:

establishing a communication link between the wireless device and the server via the RF communications device (Figs. 7a-7i; page 4, paragraph 0051+); and transmitting configuration

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table data from the server to the wireless device (i.e., Figs. 20a-20d; page 5, paragraph 0059-0060, page 13, paragraphs 0124+ and page 14, paragraphs 0126+).

6. Claims 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Safai et al. (U.S. 6,167,469).

Regarding claim 16, Safai '469 discloses a method in a data processing system for transmitting an image to a remote system associated with a predetermined destination address (Figs. 4A-4F), comprising:

registering with a wireless packet data network (col. 15, lines 15+);
obtaining a digital image from a digital camera (col. 5, lines 40+);
formatting a message, including at least one said digital image and an account identifier (Figs. 4B; col. 8, lines 68+); and
transmitting said message via said wireless packet data network to said remote system (601) associated with said predetermined destination address (col. 13, lines 15-30, col. 17, lines 40+ and col. 18, lines 10+).

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Regarding claim 17, Safai '469 discloses further comprising the step of processing said message on said remote system to retrieve one or more preselected recipient addresses corresponding to a recipient code in said message (Fig. 4E-4F; col. 12, lines 40+); and retransmitting at least said image to each preselected recipient address (col. 14, lines 9-68).

7. Claims 9 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilska et al. (US 6,427,078 B1).

Regarding claim 9, Wilska '078 discloses a wireless digital apparatus (i.e., see Figs. 3 and 4-6), comprising:

a processor (i.e., noted from Fig. 3 that the wireless apparatus 1 includes the processor element 2; see col. 2, lines 38+), and a memory connected to said processor (i.e., noted that the storage device 13 may be coupled to the processor element 2 as shown in Fig. 3) wherein said memory contains at least a previously established configuration table and an address associated with a remote system (i.e., col. 3, lines 55+ and col. 7, lines 50-col. 8, lines 40), user interface means (Fig. 3; col. 2, lines 55-65) connected to said processor (2), comprising means for displaying a list of recipient codes stored in said configuration table (i.e., noted that the recipient information such as phone list stored in the apparatus 1 may be displayed on the display device 9; see col. 7, lines 55+) and receiving signal indicating user selection of a signal recipient code from the displayed list (i.e., noted that the processor 2 may receive signals when the user selected the

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specific recipient via the user interface; see col. 6, lines 5+ and col. 7, lines 55+), as well as other user inputs (i.e., col. 7, lines 60+);

a RF communications device connected to said processor (i.e., Figs. 1 and 3, the elements' 18 and 17); and processor control means (Fig. 3, the element 2), responsive to signals received from said user interface means (i.e., col. 2, lines 55+), for transmitting one or more messages including at least a recipient code (i.e., see col. 8, lines 1-5), via said RF communications device to said remote system (i.e., see col. 8, lines 30+).

Regarding claim 10, Wilska '078 discloses a digital camera (Figs. 3 and 4; col. 4, lines 10+) connected to said processor (2), and where message data includes at least one digital image captured by said digital camera (i.e., see col. 4, lines 10+ and col. 7, lines 10+).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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9. Claims 1-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai '469 in view of Davis (U.S. 5,966,446).

Regarding claim 1, Safai '469 discloses a wireless digital camera apparatus (Figs. 6 and 7), comprising: a digital camera (100) including a processor, user interface means, and a memory (Figs. 1-2, the elements' 110-116, 220, 212), wherein said memory contains at least a destination address (i.e., the Internet addressing protocols and an electronic address, such as an electronic mail address that follows the Internet addressing format may be stored in the memory of the camera; see col. 8, lines 50+, and col. 9, lines 15+); a RF communications device connected to said processor (Fig. 2, the elements 214/208 and Fig. 7, the elements' 718; col. 6, lines 15+, col. 13, lines 10-30 and col. 18, lines 5-15); and

processor control means (Fig. 2, the element 210) responsive to signals received from said user interface means, for capturing digital images and storing said images in said memory (col. 5, lines 30+ and col. 6, lines 1+), and transmitting a message, including at least one said digital image, via said RF communications device to a remote system (col. 12, lines 36+, col. 13, lines 10-30 and col. 18, lines 10+).

Furthermore, it is noted that Safai '469 shows the use of different RF links (i.e., col. 6, lines 5+ and col. 18, lines 5+) to establishing a communication link between the wireless communication device of the Camera 104 and the remote system (i.e., see Fig. 4) associated with the destination address (i.e., noted that the destination address of the server stored in the camera; see col. 8, lines 25+ and col. 9, lines 15+). In this case, although it is clearly **obvious** and well

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known in the art to automatically establish the communication link between the camera (104) and the remote system (602/601 or 610) whenever possible (i.e., whenever the camera is connected to the server) and the apparatus (104) is activated (i.e., noted that whenever the camera 104 is connected to the communication interface, the camera has to be turned on to download the image data to the remoter server), Safai '469 does not explicitly state "automatically establishing a link between the RF communication device and the remote system whenever possible and the apparatus is activated" as recited in present claimed invention.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Davis '446. In particular, Davis '446 teaches the use of a RF communication device (220) in a wireless digital camera having processor control means (310) for automatically establishing a link between the RF communication device (220) and the remote system whenever possible and the camera is activated (col. 4, lines 45+ and col. 7, lines 50+) so that highly reliable communication links between the digital camera and the remote system may be realized.

In view of the above, having the system of Safai '469 and then given the well-established teaching of Davis '446, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Safai '469 as taught by Davis '446 so that highly reliable communication links between the digital camera and the remote system may be realized as suggested by Davis '446 (i.e., see col. 1, lines 20+).

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Regarding claim 2, Safai '469 discloses wherein said memory further includes at least one previously defined recipient code (i.e., noted that "recipient code" read on the user specified recipient name, such that "grandma" or "gwang" as shown in the E-mail address of Figs. 4e-4f, previously stored in the camera and defined by the user via the interface 416; see col. 9, lines 15+) said user interface further comprises means for selecting a recipient code from in said memory (col. 9, lines 30+ and col. 13, lines 55+), and wherein said message further includes said recipient code (i.e., col. 13, lines 40+ and col. 14, lines 45+).

Regarding claim 3, Safai '469 discloses wherein said user interface further comprises means for entering a recipient address and wherein said message further includes said recipient address (i.e., see Figs. 4A-4F; col. 9, lines 15+).

Regarding claim 4, Safai '469 discloses wherein said means for entering a recipient address comprises a microphone and voice recognition module (i.e., the microphone 216 of Fig. 2 and noted the use of *voice commands* as discussed in col. 6, lines 26+).

Regarding claim 5, Safai '469 discloses wherein said user interface further comprises means for selecting a classification for said digital image and wherein said control means further transmits said classification with said message (i.e., noted from Figs. 4A-4F that user may select a classification for the digital image by either selecting the text information in the address entry field 414 or selecting a voice message to classify the digital image, and such classification data is transmitted along with the digital images to the remote server 601; col. 9, lines 4+ and col. 11, lines 26+).

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Regarding claim 6, Safai '469 discloses wherein said user interface further comprises means for creating a digital audio recording and wherein said control means further transmits said digital audio recording with said message (i.e., col. 11, lines 26+ and Fig. 4D).

Regarding claim 8, Safai '469 discloses wherein said user interface further comprises means for selecting a recipient code from a predefined list stored in said memory, and wherein said message further includes said recipient code (i.e., as shown in Figs. 4B and 5A and col. 9, lines 15+ the user may select a recipient code, the predetermined addresses stored in the internal table of the camera, by entering an address, and the auto-completion function retrieves the complete address from the internal table so that this address can be included with the transmitted message data; col. 12, lines 40+ and col. 13, lines 55+).

10. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai '469 in view of Davis '446 as discussed above and further in view of Fukuoka (U.S. 6,104,430).

Regarding claim 7, although Safai '469 shows the use of the user interface (see Fig. 2 of Safai '469), Safai '469 does not explicitly state the use of a serial data port as recited in the present claimed invention.

However, the use of a serial data port in the wireless digital camera is well-known in the art as evidenced by Fukuoka '430 (i.e., see col. 4, lines 5-15 and col. 7, lines 10-25). In view of

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this, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Safai '469 as taught by Fukuoka '430 so that data control bits may be sent sequentially over a single channel.

11. Claims 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai et al. (U.S. 6,167,469) in view of Harris et al. (U.S. 6,009,336).

Regarding claim 11, Safai '469 discloses digital photo delivery system (Figs. 6 and 7) comprising:

a wireless digital camera apparatus (col. 6, lines 15+, col. 13, lines 25+ and col. 18, lines 10+), wherein said apparatus includes a processor; a memory (Fig. 2, the elements' 208 and 212; col. 12, lines 65+); an account identifier (i.e., col. 13, lines 55+), a destination address (i.e., col. 13, lines 10+) and at least one previously defined recipient code (i.e., the user may previously enter the recipient name, such that "gwang" or "grandma", to store in the memory of the camera; see col. 9, lines 15+) stored in said memory (i.e., col. 9, lines 15+ and col. 13, lines 55+);

user interface means (Fig. 1, the elements' 110-16) connected to said processor (col. 5, lines 20+; Fig. 7, the elements' 714, 716 and 704) for at least displaying the recipient code stored in the memory and receiving signals indicating user selection of the recipient code (i.e., as shown in Fig. 4B that when the user enters the character in the address entry field 414, the processor received these signals and retrieves the previously stored recipient codes from the memory of the camera and display at the display area 414; col. 9, lines 1+);

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a digital camera means connected to said processor (Fig. 2; col. 5, lines 40+);

a RF communications device connected to said processor (i.e., Fig. 2, the element 214; col. 6, lines 6+, col. 13, lines 25-30 and col. 18, lines 10+); and processor control means, responsive to signals received from said user interface means (Fig. 2, the elements 210/208; see col. 5, lines 55+ and col. 6, lines 20+), for transmitting a message, including at least an account identifier, a recipient code, and one said digital image (i.e., see Figs. 4A-4F; col. 2, lines 35+, col. 12, lines 40+ and col. 13, lines 55+), to said destination address via said RF communications device (col. 6, lines 6+, col. 17, lines 40+ and col. 18, lines 10+); and

a server (Fig. 6, the element 601) associated with said destination address and responsive to messages received at said destination address from said wireless digital camera apparatus (col. 13, lines 25+);

server memory means (614) for storing account configuration records, including message recipient code distribution data, and associated with said account identifiers (i.e., col. 14, lines 10-65 and col. 15, lines 15+);

server communications means; and server control means for parsing said account identifier and said recipient code from each said message (Fig. 6, col. 14, lines 10-68 and col. 15, lines 30+), and

processing each said message according to message recipient code distribution data associated with said account identifier and said recipient code (col. 14, lines 1-68), which processing may include transmitting portions of said messages to at least one pre-defined

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recipient (i.e., Noted that the server 601 is capable of forwarding the received messages to the pre-defined recipient of the elements 610 and 612) associated with said recipient code via said server communication means (Figs. 6 & 7; the elements' 608, 722, 726 and 728; col. 14, lines 30+ and col. 15, lines 1-55).

Furthermore, it is noted that Safai '469 does not explicitly state that the processor is displaying a list of recipient codes stored in the memory of the camera and receiving the user selection signals of a single recipient code from the displayed list as recited in the present claimed invention.

However, the above-mentioned claimed limitations are well-known in the art as evidenced by Harris '336. In particular, Harris '336 teaches the use of user interface means connected to said processor (Figs. 1 and 10, the element's 137) for at least displaying a list of recipient codes stored (i.e., the phone book showing a list of recipient) in the memory (139), and receiving signals indicating user selection of a single recipient code (i.e., selecting the element 1006 as shown in Fig. 10) from the displayed list (1002) (i.e., col. 10, lines 45+).

In view of the above, having the system of Safai '469 and then given the well-established teaching of Harris '336, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Safai '469 as taught by Harris '336, since Harris '336 stated in col. 1, lines 60+ such a modification would provide a single user interface having components carried on multiple surfaces of the device so as to minimize the size and cost of the device.

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Regarding claim 14, Safai '469 discloses wherein said RF communications device comprises a modem suitable for connection to a PSTN (col. 13, lines 15+) and said processor control means comprises a processor for generating commands to link said wireless digital camera apparatus to an Internet service provider network and transmits said message to said destination address (Fig. 2, the elements 210 & 214; col. 12, lines 20+ and col. 13, lines 14+).

12. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai '469 in view of Criss et al. (US 2001/0029178 A1).

Regarding claim 12, the combination of Safai '469 and Harris '336 discloses server control means of the server 602 further comprises means for transmitting account configuration data including at least one recipient code (i.e., noted the use of "grandma" or "gwang" as shown in Fig. 4A and 4E of Safai '469; Fig. 10 of Harris '336) to said wireless data camera apparatus in response to receiving a signal from said wireless digital camera apparatus (Figs. 6 and 7; col. 15, lines 15+ and col. 18, lines 30-46), and wherein said processor control means stored the received account configuration data in the storage device (i.e., col. 18, lines 40-46).

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Further, it is noted that although the server (601/730 of Safai '469) is capable of responding to the remote wireless digital apparatus (i.e., the camera 100/the computer 700 of Safai '469) by transmitting the account configuration data (i.e., see col. 18, lines 30-46 of Safai '469) based on the signal received, Safai '469 does not explicitly state that the memory of the wireless digital apparatus is updated by the processor control means in respond the account configuration received form the remote server.

However, Criss '178 teaches that it is conventionally well-known to update the memory (Figs. 2; the element 50; page 5, paragraph 0054) of the wireless digital apparatus (i.e., the apparatus 36) with the account configuration data (i.e., noted the account configuration data as shown in Figs. 4 and 5a-5d) transmitted from the server based on the signal received from the wireless digital apparatus (i.e., Figs. 7a-7i; page 2, paragraphs 0013+) so that the memory of the digital mobile device is wirelessly updated.

In view of the above, having the system of Safai '469 and then given the well-established teaching of Criss '178, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Safai '469 as taught by Criss '178 so that the memory of the digital mobile device of Safai '469 may be updated wirelessly and this would obviously overcome significantly down time or service costs for upgrading the mobile device as suggested by Criss '178 (i.e., see page 1, paragraph 0010 of Criss '178).

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13. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai '469 in view of Harris '336 as discussed above and further in view of Fernandez et al. (US 2002/0057340).

Regarding claim 13, although Safai '469 suggests the use of different communication protocol (i.e., see col. 13, lines 15-30 and col. 18, 10+), the combination of Safai '469 and Harris '336 does not explicitly show the use of a CDPD protocol. However, the use of a CDPD protocol is well-known in the art as evidenced by Fernandez '340 (i.e., page 4, paragraph 0042).

In view of the above, having the system of Safai '469 and then given the well-established teaching of Fernandez '340, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Safai '469 as taught by Fernandez '340 in order to realize faster transmission for tracking real-time data associated with multiple object surveillance and/or movements as suggested by Fernandez '340 (i.e., see page 11, paragraphs 0122+).

14. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai '469 in view of Harris '336 as discussed above and further in view of Harkins et al. (U.S. 5,689,642).

Regarding claim 15, although Safai '469 shows the server control means, the combination of Safai '469 and Harris '336 does not explicitly show message reply filter means for receiving messages addressed to each said wireless digital camera apparatus and only forwarding to said wireless digital camera apparatus those messages which originate from an address that is

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authorized for a reply in said account configuration record associated with said wireless digital camera apparatus.

However, the above mentioned claimed limitations are well-known in the art as evidenced by Harkins '642. In particular, Harkins '642 teaches that it is conventionally well-known to use message replay filter means (i.e., the distribution list 60 and the communication channels 62 of the server as discussed in col. 7, lines 55+) for receiving messages addressed to each of the wireless digital apparatus (i.e., noted that the messages may be addressed to each of the wireless digital apparatus of the clients as shown in Channels 62; see col. 6, lines 1+) and only forwarding to said wireless digital apparatus those messages which originate from an address that is authorized for a reply in said account configuration record associated with said wireless digital apparatus (i.e., noted from Figs. 2 and 3, that the specific distribution lists may be stored at the server 4, so that the message is only forwarded/replied to the authorized client indicated by the server's distribution list of Channels 62; see col. 7, lines 50).

In view of the above, having the system of Safai '469 and then given the well-established teaching of Harkins '642, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Safai '469 as taught by Harkins '642. Since Harkins '642 suggests at column 4, lines 25+ that such a modification would improve data flow over a network by efficiently utilizing an information filter, and moreover, overloading the communication medium bandwidth over the network may be prevented.

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Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Martin '061 shows the process of updating a configuration table data on the wireless device.

b. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

16. **Any response to this final action should be mailed to:**

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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Or Faxed to:


(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Aung S. Moe** whose telephone number is **(703) 306-3021**. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reach on **(703) 305-4929**.

Any inquiry of a general nature or relating to the status of this application should be directed to the customer service number **(703) 306-0377**.


AUNG MOE
PRIMARY EXAMINER

A. Moe
November 28, 2003